

SENATE BILL 599

D3

1lr1865

By: **Senators Raskin, Frosh, Manno, Miller, Ramirez, and Zirkin**

Introduced and read first time: February 4, 2011

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Courts and Judicial Proceedings – Prelitigation Discovery – Insurance**
3 **Coverage**

4 FOR the purpose of requiring a property and casualty insurer to disclose to a certain
5 claimant certain limits of coverage in any insurance agreement under which
6 certain persons may be liable to satisfy all or part of the claim or to indemnify
7 or reimburse for payments made to satisfy the claim; requiring disclosure of
8 certain limits of coverage within a certain time period under certain
9 circumstances; and generally relating to the disclosure of certain coverage limits
10 in certain insurance agreements.

11 BY adding to

12 Article – Courts and Judicial Proceedings

13 Section 10–1101 to be under the new subtitle “Subtitle 11. Prelitigation
14 Discovery”

15 Annotated Code of Maryland

16 (2006 Replacement Volume and 2010 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Courts and Judicial Proceedings**

20 **SUBTITLE 11. PRELITIGATION DISCOVERY.**

21 **10–1101.**

22 **(A) AFTER A CLAIMANT FILES A WRITTEN TORT CLAIM WITH A**
23 **PROPERTY AND CASUALTY INSURER, THE CLAIMANT MAY OBTAIN FROM THE**
24 **PROPERTY AND CASUALTY INSURER DOCUMENTATION OF THE APPLICABLE**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 LIMITS OF COVERAGE IN ANY INSURANCE AGREEMENT UNDER WHICH ANY
2 PERSON ENGAGED IN THE INSURANCE BUSINESS MAY BE LIABLE TO:

3 (1) SATISFY ALL OR PART OF THE CLAIM; OR

4 (2) INDEMNIFY OR REIMBURSE FOR PAYMENTS MADE TO SATISFY
5 THE CLAIM.

6 (B) THE PROPERTY AND CASUALTY INSURER SHALL PROVIDE THE
7 CLAIMANT THE DOCUMENTATION REQUIRED BY SUBSECTION (A) OF THIS
8 SECTION WITHIN 30 DAYS AFTER RECEIPT OF A WRITTEN REQUEST FOR THE
9 DOCUMENTATION.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2011.